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TECHNOLOGY CENTER R3700

## PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re the Reissue Application of:  
THOMAS J. SHAW**

**For Reissue of U.S. Patent 5,810,775  
Issued September 22, 1998  
Serial No. 08/862,849**

Filing Date: September 19, 2000

Serial No.: (09/665,634)

**For CAP OPERATED RETRACTABLE MEDICAL DEVICE**

Group Art Unit: 3763  
Examiner: Rodriguez

**CERTIFICATE OF FIRST CLASS MAILING**

## **Via First Class Mail**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
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I hereby certify that the papers enclosed herein are being deposited with the United States Postal Service as First Class Mail, with postage prepaid, on the date set forth below in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/5/04

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Signature

Date of Signature

**Kristen R. Paris, Registration No. 52,092  
Attorney for Applicant**

## **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Rejection dated May 5, 2004 and the Advisory Action dated September 17, 2004, in which the Examiner finally rejected claims 32, 34, 47 and 51-53 and objected to claims 35-39.

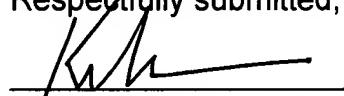
11/09/2004 AWONDAF1 00000112 08862849

01 FC:2401  
02 FC:2253

170.00 OP  
275.00 OP

This Notice of Appeal is accompanied by a check in the amount of \$445, the statutory fee for filing a Notice of Appeal for a small entity and the fee for a three-month extension of the response period. A fee for the two-month extension of the response period was paid with the "Supplemental Amendment after Final" mailed October 5, 2004. The Commissioner is hereby authorized to charge any additional fee due in connection with the filing of this paper or credit any overpayment to the Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,



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Date: November 5, 2004  
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